

# **EXHIBIT A**

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*Attorneys for Plaintiffs, Oscar V. Hernandez & Yasunari Diaz*

FILED  
 CUSTOMER SERVICE UNIT

DEC 10 2011

SUPERIOR COURT OF NEW JERSEY  
 COUNTY OF HUDSON  
 CIVIL DIVISION 28

<b>OSCAR V. HERNANDEZ and</b>	:	<b>SUPERIOR COURT OF NEW JERSEY</b>
<b>YASUNARI DIAZ, his wife</b>	:	<b>LAW DIVISION: HUDSON COUNTY</b>
	:	
<i>Plaintiffs,</i>	:	<b>DOCKET NO. HUD-L- 6426-11</b>
	:	
vs.	:	
	:	<u>Civil Action</u>
<b>SCHNEIDER NATIONAL CARRIERS, INC.;</b>	:	
<b>SCHNEIDER NATIONAL LEASING; ERIC</b>	:	
<b>A. REID; TADEUSZ W. FLORCZUK; ABC</b>	:	<b>COMPLAINT and JURY DEMAND</b>
Corp. 1-10 (a fictitious name representing	:	
unknown corporations); and JOHN/JANE DOE 1-	:	
10 (a fictitious name representing unknown	:	
persons)	:	
	:	
<i>Defendants.</i>	:	

Plaintiffs, **OSCAR V. HERNANDEZ** and **YASUNARI DIAZ**, his wife, residing at 99 Lincoln Street, in the City of Jersey City, County of Hudson and State of New Jersey, by way of Complaint against the Defendants, **SCHNEIDER NATIONAL CARRIERS, INC.**, **SCHNEIDER NATIONAL LEASING**, **ERIC A. REID**, and **TADEUSZ W. FLORCZUK**, says:

**FIRST COUNT**

1. On or about **March 4, 2011**, Plaintiff, **Oscar V. Hernandez**, was the owner and operator of a motor vehicle which was traveling on Eastbound on Passaic Street, at or near the intersection of Canal Street, in the City of Passaic, County of Passaic, and

State of New Jersey.

2. At the same time, date and place as aforesaid, Defendant, **Tadeusz W. Florczuk**, was the owner and operator of a motor vehicle also proceeding and traveling on Canal Street in an Easterly direction in a careless, reckless, and negligent fashion such as to cause the vehicle he was operating to collide with the **Hernandez** vehicle, causing Plaintiff, **Oscar V. Hernandez**, to sustain serious and permanent personal injuries.

3. At the same time, date and place as aforesaid, Defendant, **Eric E. Reid**, was the operator of a tractor trailer unit owned by Defendants **Schneider National Leasing and Schneider National Carrier, Inc.**, and was proceeding in a Westerly direction on Passaic Street, making a left turn into Canal Street, when his tractor trailer struck the rear of the **Hernandez** vehicle, thereby causing a violent collision and resulting with the Plaintiff sustaining serious and permanent personal injuries.

4. As a direct and proximate result of the carelessness, recklessness and negligence of the Defendants **SCHNEIDER NATIONAL CARRIERS, INC., SCHNEIDER NATIONAL LEASING, ERIC A. REID**, and **TADEUSZ W. FLORCZUK**, Plaintiff, **Oscar V. Hernandez**, suffered severe permanent and painful injuries, has incurred and will in the future continue to incur great medical expense in an effort to cure himself, has been prevented and will in the future continue to be prevented from pursuing his normal daily activities, and will in the future continue to be rendered sick, sore, lame, disabled and otherwise injured.

5. The injuries sustained by Plaintiff, **Oscar V. Hernandez**, are significant and

permanent in nature and have had a devastating severe impact on his ability to function and have adversely affected and prevented him from enjoyment and a quality lifestyle, and pursuits of gainful employment.

**WHEREFORE**, Plaintiff, **Oscar V. Hernandez**, demands judgment against the Defendants, **SCHNEIDER NATIONAL CARRIERS, INC., SCHNEIDER NATIONAL LEASING, ERIC A. REID, and TADEUSZ W. FLORCZUK**, for damages, together with lawful interest, plus costs of suit and fees on the **First Count**.

### **SECOND COUNT**

1. Plaintiffs, **Oscar V. Hernandez** and **Yasunari Diaz**, repeat and reiterate the allegations set forth in the **First Count** as if more fully set forth herein.

2. Defendants, **ABC CORP. 1-10** (a fictitious name) and **JOHN/JANE DOE 1-10** [a fictitious name] are corporations, individuals, partnerships, sole proprietors or other business entities whose name or names may become known during the course of the litigation and who may have in one way or more contributed to the injuries sustained by Plaintiff, **Oscar V. Hernandez** as a result of the subject accident.

3. Defendants, **SCHNEIDER NATIONAL CARRIERS, INC., SCHNEIDER NATIONAL LEASING, ERIC A. REID, TADEUSZ W. FLORCZUK, ABC CORP. 1-10**-(a fictitious name) and **JOHN/JANE DOE 1-10** (a fictitious name), were the owners, operators and/or insured of a motor vehicle which was also at the above location when their vehicle struck the rear of the **Hernandez** vehicle and a violent collision resulted therefrom in the County of Passaic and State of New Jersey.

4. At the same, date and place as aforesaid, Defendants, **SCHNEIDER NATIONAL**

CARRIERS, INC., SCHNEIDER NATIONAL LEASING, ERIC A. REID, TADEUSZ W. FLORCZUK, ABC CORP. 1-10 (a fictitious name) and JOHN/JANE DOE 1-10 (a fictitious name), were the owners and operators and driving with permission of Defendants, either individually or as the agents, servants and/or employees of said Defendants, who proximately caused the collision and accident referred to herein.

5. At the same time, date and place as aforesaid, Defendants SCHNEIDER NATIONAL CARRIERS, INC., SCHNEIDER NATIONAL LEASING, ERIC A. REID, TADEUSZ W. FLORCZUK, ABC CORP. 1-10 (a fictitious name) and JOHN/JANE DOE 1-10 (a fictitious name), operated their motor vehicle in a reckless, careless and negligent fashion such as to cause the vehicle they were operating to collide with the Plaintiffs' vehicle, causing Plaintiff, Oscar V. Hernandez, to sustain serious permanent personal injuries.

6. As a direct and proximate result of the carelessness, recklessness, and negligence of the Defendants, SCHNEIDER NATIONAL CARRIERS, INC., SCHNEIDER NATIONAL LEASING, ERIC A. REID, TADEUSZ W. FLORCZUK, ABC CORP. 1-10 (a fictitious name) and JOHN/JANE DOE 1-10 (a fictitious name) aforesaid, Plaintiff, Oscar V. Hernandez, suffered severe permanent and painful injuries about the head, neck, back, torso, arms, legs and other parts of his body and nervous system and mental anguish, has incurred and will in the future continue to suffer great pain and shock to his body and nervous system and mental anguish, has incurred and will in the future continue to incur great medical expense in an effort to cure himself, has been prevented and will in the future continue to be prevented from pursuing his normal daily

activities, and will in the future continue to be rendered sick, sore, lame, disabled and otherwise injured.

7. The injuries sustained by Plaintiff, **Oscar V. Hernandez**, are significant and permanent in nature and have had a devastating severe impact on his ability to function and have adversely affected, altered and/or prevented him from enjoyment and a quality lifestyle and pursuits of gainful employment.

*Wherefore*, Plaintiffs, **Oscar V. Hernandez** and **Yusanari Diaz**, demand judgment against the Defendants, **ABC CORP. 1-10** (a fictitious name) and **JOHN/JANE DOE 1-10** (a fictitious name), individually, jointly, severally, or in the alternative, for damages, together with lawful interest, plus cost of suit and attorney fees on the **Second Count**.

### **THIRD COUNT**

1. Plaintiffs, **Oscar V. Hernandez** and **Yasunari Diaz**, repeat and reiterate all of the allegations contained in the **First Count** and **Second Count** of this Complaint as though it was set forth at length herein and made a part hereof.

2. As a direct and proximate result of the recklessness, carelessness and negligence of the Defendants aforesaid, the motor vehicle owned by the Plaintiff, **Yusanari Diaz**; was severely damaged, required extensive repairs and, as a result thereof, considerable sums of money were expended for same; vehicle depreciated in value and the Plaintiff lost, or otherwise was denied, the use of and enjoyment of said motor vehicle for a considerable time.

WHEREFORE, Plaintiffs, Oscar V. Hernandez and Yasunari Diaz, demand judgment against the Defendants, SCHNEIDER NATIONAL CARRIERS, INC., SCHNEIDER NATIONAL LEASING, ERIC A. REID, TADEUSZ W. FLORCZUK, ABC CORP. 1-10 (a fictitious name) and JOHN/JANE DOE 1-10 (a fictitious name), individually, jointly, severally, or in the alternative, for damages, together with lawful interest, plus cost of suit and attorney fees on the Third Count for property damage together with interest and costs of suit.

#### FOURTH COUNT

1. Plaintiff, Yasunari Diaz, repeats and reiterates all of the allegations contained in the First through Third Counts of this Complaint as though set forth at length herein and made a part hereof.

2. At all times mentioned herein, and relevant to the within action of, Plaintiff, Yasunari Diaz, was and continues to be the lawful wife of Plaintiff, Oscar V. Hernandez.

3. As a direct and proximate result of the carelessness, recklessness and negligence of the Defendant aforesaid, Plaintiff, Yasunari Diaz, has been and will in the future continue to be compelled to incur great medical expense in an effort to cure Plaintiff, Oscar V. Hernandez, and has been and will in the future continue to be deprived of his services, comfort, companionship and consortium.

WHEREFORE, Plaintiff, Yasunari Diaz, demands judgment against the Defendants, SCHNEIDER NATIONAL CARRIERS, INC., SCHNEIDER NATIONAL LEASING, ERIC A. REID, TADEUSZ W. FLORCZUK, ABC CORP. 1-10 (a fictitious name

representing unknown corporations) and JOHN DOE 1-10 (fictitious names representing unknown individuals), individually, jointly, severally and in the alternative, for damages, together with lawful interest, plus costs of suit and attorney fees on the **Fourth Count**.

**RINALDO AND RINALDO, ESQS.**  
*Attorneys for Plaintiffs*



Dated: December 7, 2011

By: Matthew T. Rinaldo, Esq.

**JURY DEMAND**

Plaintiffs hereby demand a trial by jury as to all issues.

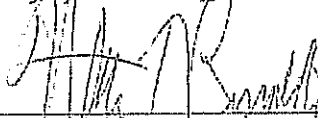
**DESIGNATION OF TRIAL COUNSEL**

Matthew T. Rinaldo, Esq., is designated as Trial Counsel.

**DEMAND FOR ANSWERS TO UNIFORM INTERROGATORIES**

Plaintiffs, **Oscar V. Hernandez** and **Yasunari Diaz**, hereby demand, pursuant to R. 4:17-(b)(ii) of the Rules of Court that the Defendants, **SCHNEIDER NATIONAL CARRIERS, INC., SCHNEIDER NATIONAL LEASING, ERIC A. REID, and TADEUSZ W. FLORCZUK**, serve answers to the Interrogatories prescribed by Forms "C" and "C2" of Appendix II of the Rules of Court within sixty (60) days of the date hereof.

**RINALDO AND RINALDO, ESQS.**  
*Attorneys for Plaintiffs*



Dated: December 7, 2011

By: Matthew T. Rinaldo, Esq.

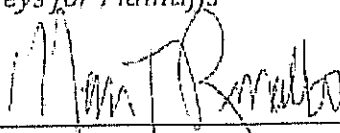


CERTIFICATION PURSUANT TO RULE 4:5-1

I certify that the matter in controversy is not the subject of any other action or proceeding pending in any court or tribunal, nor is there any other action or arbitration proceeding contemplated between the parties hereto.

I further certify that at this time I know of no other parties who should be joined in this action.



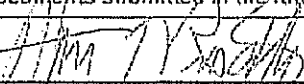
RINALDO AND RINALDO, ESQS.  
*Attorneys for Plaintiffs*

A handwritten signature in dark ink, appearing to read 'Matthew T. Rinaldo', is written over a horizontal line.

Dated: December 7, 2011

By: Matthew T. Rinaldo, Esq.

## Appendix XII-B1

	<b>CIVIL CASE INFORMATION STATEMENT (CIS)</b>		<b>FOR USE BY CLERKS' OFFICE ONLY</b>		
	Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule</i> 4:5-1 Pleading will be rejected for filing, under <i>Rule</i> 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA		
			CHG/CK NO.		
			AMOUNT:		
			OVERPAYMENT:		
		BATCH NUMBER:			
ATTORNEY / PRO SE NAME MATTHEW T. RINALDO, ESQ.		TELEPHONE NUMBER (732) 398-9300	COUNTY OF VENUE Hudson		
FIRM NAME (if applicable) Rinaldo and Rinaldo, Esqs.		DOCKET NUMBER (when available) L-6426-11			
OFFICE ADDRESS 60 Walnut Avenue, Suite 150 Clark, NJ 07066		DOCUMENT TYPE Complaint			
		JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
NAME OF PARTY (e.g., John Doe, Plaintiff) Plaintiffs, OSCAR V. HERNANDEZ and YASUNARI DIAZ, his wife		CAPTION vs. SCHNEIDER NATIONAL CARRIERS, INC.; SCHNEIDER NATIONAL LEASING; ERIC A. REID; TADEUSZ W. FLORCZUK; John/Jane Doe 1-10, ABC Corporation 1-10			
CASE TYPE NUMBER (See reverse side for listing) 603N		IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.			
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, LIST DOCKET NUMBERS			
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) Allstate NJ Property & Casualty Insurance Co.; <input type="checkbox"/> NONE Other, unknown at present <input checked="" type="checkbox"/> UNKNOWN			
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE					
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION					
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS			
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input type="checkbox"/> NO					
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION					
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION			
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE?			
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule</i> 1:38-7(b).					
ATTORNEY SIGNATURE 					

# **EXHIBIT B**

FILED  
TEAM #1

MAR 19 2012

NOWELL AMOROSO KLEIN BIERMAN, P.A.

155 Polifly Road

Hackensack, New Jersey 07601

(201) 343-5001

Attorneys for Defendants Schneider National Carriers, Inc., Schneider National Leasing, Inc.  
and Eric A. Reid

SUPERIOR COURT OF NEW JERSEY  
COUNTY OF HUDSON  
CIVIL DIVISION #11

OSCAR V. HERNANDEZ and YASUNARI  
DIAZ, his wife

Plaintiffs

v.

SCHNEIDER NATIONAL CARRIERS, INC.;  
SCHNEIDER NATIONAL LEASING; ERIC A.  
REID; TADEUSZ W. FLORCZUK; ABC  
CORP. 1-10, (a fictitious name representing  
unknown corporations); and JOHN/JANE DOE  
1-10 (a fictitious name representing unknown  
persons),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: HUDSON COUNTY

DOCKET NO.: HUD-L-6426-11

CIVIL ACTION

**ANSWER, JURY DEMAND AND  
DESIGNATION OF TRIAL COUNSEL**

Defendants Schneider National Carriers, Inc., Schneider National Leasing, Inc. and Eric A.

Reid by way of answer to plaintiff's complaint hereby answer as follows:

**FIRST COUNT**

1. Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph 1 of the First Count.
2. Defendants deny the allegations contained in paragraph 2 of the First Count.
3. Defendants deny the allegations contained in paragraph 3 of the First Count.
4. Defendants deny the allegations contained in paragraph 4 of the First Count.
5. Defendants deny the allegations contained in paragraph 5 of the First Count.

**WHEREFORE**, defendants demand that plaintiff's complaint be dismissed.

**SECOND COUNT**

1. Defendants repeat the answers to each of the allegations contained in the First Count as if set forth at length herein.

2. Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph 2 of the Second Count.

3. Defendants deny the allegations contained in paragraph 3 of the Second Count.

4. Defendants deny the allegations contained in paragraph 4 of the Second Count.

5. Defendants deny the allegations contained in paragraph 5 of the Second Count.

6. Defendants deny the allegations contained in paragraph 6 of the Second Count.

7. Defendants deny the allegations contained in paragraph 7 of the Second Count.

**WHEREFORE**, defendants demand that plaintiff's complaint be dismissed.

**THIRD COUNT**

1. Defendants repeat each of the answers to the First and Second Count as if set forth at length herein.

2. Defendants deny the allegations contained in paragraph 2 of the Third Count.

**WHEREFORE**, defendants demand that plaintiff's complaint be dismissed.

**FOURTH COUNT**

1. Defendants repeat each of the answers to the First, Second and Third Count as if set forth at length herein.

2. Defendants deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph 2 of the Fourth Count.

3. Defendants deny the allegations contained in paragraph 3 of the Fourth Count.

WHEREFORE, defendants demand that plaintiff's complaint be dismissed.

**SEPARATE DEFENSES**

**FIRST SEPARATE DEFENSE**

Plaintiff is guilty of comparative negligence.

**SECOND SEPARATE DEFENSE**

Plaintiff assumed the risk of her actions.

**THIRD SEPARATE DEFENSE**

Plaintiff's damages were paid by a collateral source.

**FOURTH SEPARATE DEFENSE**

Plaintiff failed to mitigate damages.

**FIFTH SEPARATE DEFENSE**

Plaintiff's injuries were pre-existing.

**SIXTH SEPARATE DEFENSE**

The complaint fails to state a cause of action.

**SEVENTH SEPARATE DEFENSE**

Defendants are protected by corporate immunity.

**EIGHTH SEPARATE DEFENSE**

The law of a State other than New Jersey may be applicable.

**DEMAND FOR DAMAGES**

Defendants demand that a written statement of the amount of damages claimed by the plaintiffs, in accordance with Rule 4:5-2, be submitted within five (5) days of the service of this pleading.

**DESIGNATION OF TRIAL COUNSEL**

Alexander J. Drago, Esq., is hereby designated as trial counsel pursuant to R.4:25-4 in this matter.

**CERTIFICATION PURSUANT TO 4:5-1**

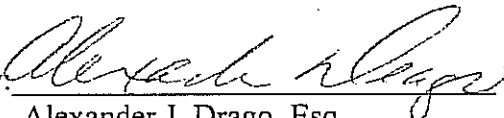
Pursuant to Rule 4:5-1, I hereby certify that this matter is not the subject of any other action pending in any other Court, or of a pending arbitration proceeding.

I further certify that no other action or arbitration proceeding is contemplated at this time.

**JURY DEMAND**

Defendant hereby demands trial by jury on all claims raised in this matter.

**NOWELL AMOROSO KLEIN BIERMAN, P.A.**  
**Attorneys for Defendants Schneider National Carriers,**  
**Inc., Schneider National Leasing, Inc. and Eric A. Reid**

By:   
Alexander J. Drago, Esq.

Dated: March 16, 2012